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WALTER WILHELM LAW GROUP  
A Professional Corporation  
Riley C. Walter #91839  
205 East River Park Circle, Ste. 410  
Fresno, CA 93720  
Telephone: (559) 435-9800  
Facsimile: (559) 435-9868  
E-mail: [rileywalter@W2LG.com](mailto:rileywalter@W2LG.com)

Chapter 9 Counsel for Tulare Local Healthcare District, Debtor

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE  
DISTRICT, dba TULARE REGIONAL  
MEDICAL CENTER,

Debtor.

Tax ID #: 94-6002897

Address: 869 N. Cherry Street  
Tulare, CA 93274

CASE NO. 17-13797

Chapter 9

DC No.: WW-110

Date: July 3, 2019

Time: 10:00 a.m.

Place: 2500 Tulare Street  
Fresno, CA 93721  
Courtroom 13

Judge: Honorable René Lastreto II

**DEBTOR'S OBJECTION TO PROOF OF CLAIM NUMBER 10  
FILED BY JIAME CALDERON**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE AND OTHER  
PARTIES IN INTEREST:

Pursuant to 11 U.S.C. § 502 and FRBP 3007, Tulare Local Healthcare District dba Tulare Regional Medical Center (the "Debtor") objects to Proof of Claim Number 10 (the "Claim") filed by Jiame Calderon ("Calderon"). This objection is based on the following:

1. To the extent the asserted claim filed by Calderon is ultimately allowed by the trial court the claim will be provided for pursuant to the Debtor's malpractice

1 insurance coverage through BETA Risk Management Authority. The claim is not entitled  
2 to secured status and is a disputed, unliquidated and contingent claim.

3 2. The Debtor commenced a voluntary bankruptcy petition under Chapter 9  
4 of the Bankruptcy Code on September 30, 2017 (the "Petition Date"), in the Eastern  
5 District of California.

6 3. The claims bar date was set as April 10, 2018.

7 4. October 16, 2017, Calderon filed Proof of Claim 10 as a secured claim in  
8 the total amount of \$1,000,000. This Proof of Claim was filed on account of a pending  
9 wrongful death civil suit. A copy of Proof of Claim Number 10 is attached as Exhibit "A".

10 5. The Debtor objects to Calderon's claim on the basis that this claim is not  
11 entitled to secured status and will be separately provided for through the Debtor's  
12 malpractice insurance carrier, BETA Risk Management Authority if and when determined  
13 by the trial court.

14 WHEREFORE, the Debtor respectfully requests that this Objection be sustained  
15 and that Proof of Claim Number 10 filed by Claimant be disallowed as to its alleged  
16 secured status and seeks such other and further relief as is just and proper.

17 Dated: May 21, 2019

18 WALTER WILHELM LAW GROUP,  
19 a Professional Corporation

20 By: 

21 Riley C. Walter, Attorneys for Debtor,  
22 Tulare Local Healthcare District dba Tulare  
23 Regional Medical Center  
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